

The Deer

updated 3/8/16

Now that the 2016 deer cull is complete, deer management efforts will turn to two different directions - the first, to assess what effect culling deer has had and what indicators there are that additional culling efforts might be needed; the other, to develop more extensive data collection on the impact of deer in our natural areas and to develop non-lethal interventions that could be approved by the State of Michigan.

As both of those efforts move forward, the Council will be evaluating both the implementation of the deer cull and the opportunity for non-lethal interventions while determining the budget that will be allocated toward deer management.

I hope you will consider whether and how you think money ought to be allocated for deer management. Here are some goals for this program – as set in the Council-approved deer management resolution (plus an update on what has been completed, to date):

- Conduct an annual survey via A2 Open City Hall to gather resident perceptions regarding deer-human interactions within the City

This has not yet been done. The budget for the development of a survey – and whether that survey is professionally and objectively designed – has not been discussed.

- Develop deer management information and resources and provide this information to the public by February 2016 and in each subsequent February;

This has been done, to an extent. Those resources are

[Driving Tips: Deer Crashes in Michigan](#)

[Managing Garden Damage from Deer](#)

[Tick and Lyme Disease Prevention](#)

These resources may not be sufficient or effective in helping residents to live with deer in the City. If better resources ought to be developed, what would those resources look like?

- Conduct annual flyovers in each of the next four years to gauge deer numbers in the City

The most recent flyover resulted in this report – which stated that the number of deer seen and counted by the participating staff – had increased. Because the staff included areas (both in 2015 and 2016) that are not within City limits, some have disputed the accuracy of this count. The idea of the flyover is, however, not to gather an accurate population. Most research I have found indicates that a flyover on open grassland underestimates the number of deer by 30-40%.

- Report on City’s deer management efforts, including results from A2 Open City Hall survey, flyovers, deer/vehicle crash data, in May of each year;

This report has not yet been prepared.

Questions asked during the cull

Was the City sued over the deer cull? The City was sued in two different courts, in two different cases. Because of the timing of the courts’ decisions, the result of these lawsuits did not affect the cull.

In Federal court, the plaintiffs (the people suing the City) were denied both a temporary restraining order and a preliminary injunction (both of which, if granted, would have halted the cull, at least for a while). Here’s a link to the [brief filed](#) by the plaintiff’s attorney in the Federal case. M-Live covered the [court hearing](#).

In State court, the judge denied the request for a temporary restraining order, and the plaintiff (the person who filed the suit) withdrew her petition for a preliminary injunction. This case was subsequently dropped by the plaintiff.

When exactly are the parks closed?

All the parks are now open. The cull has ended.

Did the City get a permit for this cull?

Yes. The permit arrived at the City on December 23. There were major changes in the program because of the permit: (1) shooting deer cannot take place closer to an occupied building than 450 feet (unless the owner/occupant gives written permission); and (2) the cull must end on or before March 1.

Here’s a [link to the permit](#).

What legal right does the City have to kill deer?

I’m not a lawyer. The City received its permit to conduct a cull from the Michigan Department of Natural Resources, as have many other communities across the state. Unless the City violates the terms of the permit, it is in compliance legally. (This is true for any permit, of any type to do any thing.)

Rumors and more rumors

I've seen photos of disturbed snow that some say represents a place where a deer was killed next to their home. I've seen photos of dead deer that some say represents a deer shot in the cull and left to die. I've heard reports of shots fired near houses. And I've heard that the meat won't be distributed in Ann Arbor or Washtenaw County.

1. Was a deer killed by City staff or sharpshooters along the railroad tracks near Pontiac Trail?

I asked the Chief of Police for the report on the incident. Here's what he replied:

"We did follow up at the site. There were deer, dog and human footprints and absolutely nothing to indicate anything other than a deer was walking in the area. In addition, I can confirm that this was not USDA personnel even walking in the area."

2. Was a deer shot and left for dead in Bird Hills? In Leslie Golf Course?

I asked the City Administrator about each incident I've heard of, and have been told that these incidents are not related to the cull.

I know that a deer was found, partially eaten, on Leslie Golf Course. Another deer was found, also consumed, at Bird Hills. Whether these deer were killed because someone shot them, and whether they were left for dead after they were (possibly) shot is, at this time, not known.

Although it has not been a harsh winter, and the deer I have seen are well fed, deer die. I'm withholding judgment until I have facts to review.

3. Is Food Gatherers going to distribute the deer meat locally?

I spoke with Eileen Spring, the executive director of Food Gatherers, several times. She told me:

"When we receive donations of venison - from any source, including from the cull - we provide it to our partners. Not all non-profits want meat or have the capacity to store fresh or frozen food, so not all partners want venison or other meat. Our distribution area is Washtenaw County. Our policies on the deer meat from the cull are the same as on any other meat - we will provide it to those Washtenaw County organizations that can use it or distribute it to those in need."

Why did the Council vote for this plan to close parks?

The Council did not vote for this plan to implement the deer cull. This is not a cop-out, and it is not an excuse. The Council is *responsible* for the plan. Of course we are. But being responsible means, in this case, that we set the situation in motion, not that we determined the details.

Had the Council been given the opportunity to vote on the implementation plan, as it was first announced, I would not have voted in favor.

The devil is always in the details. We are still learning those details, and we know that details can and do change.

The plan is intended to ensure that park users - from casual dog walkers to joggers and beyond - are out of the park before any of the activities associated with a cull take place. In order to ensure that safety, staff worked with the contractor to develop the safest possible plan, while never closing the parks entirely to the public (as has been done in other communities).

Council members also discussed with each other what could be done. The result is a [resolution, which I drafted and co-sponsored with Council member Smith](#), that directs City staff to remove three parks from the list of parks that will be affected by a cull - Bandemer, Argo, and Olson - and to guarantee that the Border-to-Border Trail will remain open.

What about the people sleeping rough? Are you going to cull the homeless, too?

No. Anyone who is sleeping outside in one of these parks this winter will be found and - as would happen under all circumstances - will receive help and services. The City and the County are working together to end homelessness, especially for veterans and the chronically homeless. City staff searched the parks during the fall, and routinely search the parks involved in the cull to ensure that all humans are safely out of the park before any weapons are fired. In addition, the USDA-APHIS Wildlife Services sharpshooters are using special equipment to identify their targets - size, shape, heat signature.

Why are so many parks in the First Ward on the 'closed' list?

The First Ward is rich in nature areas and parks. This very richness means that, with a concentration of deer in the First and Second Wards, the First Ward provides more opportunities for a successful cull than the Second Ward does (or, for that matter, any other section of the City). I know I missed a few - somewhere - but I counted 41 parks and nature areas in the First Ward, and 26 parks and nature areas in the Second Ward. Many of the Second Ward parks are not nature areas at all - and are not places where deer would congregate (think of Postman's Rest and South University parks, for instance), while most of the parks in the First Ward are filled with the kind of places deer like to live.

Why close the parks at 4 pm? You told us the cull would be in the early morning hours!

It's that emphasis on safety. After the resolution to allow a cull was approved, the community voiced concern for the people who use the park. Many were not reassured that the parks would be empty at 1 in the morning; residents cited fears that adolescents would be in the parks and that homeless would be unaware that a cull was taking place. The City staff anticipates that they will thoroughly walk through the parks and make certain that no one remains in the parks - and this is a feat that they will need to do in the daylight. (Anyone who has ever seen a scary movie knows that it is possible to hide in the dark woods at night.)

The same consideration guides the 7 am opening. While the exact dates for any cull are yet to be determined, staff wants to ensure that there is no confusion about when to stay out of the park. City parks regularly open at 6 am; during the cull period, keeping the parks closed an hour longer means that, when a cull has taken place, the contractors have time to confirm that they have left no wounded animals

and that they have removed any killed animals for appropriate processing.

What happens to the dead deer?

All the meat will be donated to Food Gatherers. Don't fault Food Gatherers; this is not something they sought or something they considered. The DNR requires the donation; one food pantry or another would accept the meat. I'm happy it's local.

Why not just tranquilize the deer and move them?

The DNR does not allow this - for many reasons, including the fact that deer die when you do this.

Why not just do what Rochester Hills did, and put up deer crossing signs and make an improved fence ordinance?

Rochester Hills did not define the problem as too many deer, just too many accidents. Their deer population has grown - despite the fact that many deer died due to illness.

The City has implemented a feeding ban (please, don't feed the deer! The deer will not starve this winter.) The City is investigating a broader fence ordinance. This is limited by any restrictions that subdivisions have placed on fences, of course.

Why not just repeal the resolution to allow a cull?

Many people have real fears that their quality of life will be so affected by a cull as to make the cull seem unreasonable. Some have fears that their lives - or the lives of others - will be put at risk. Of course, still other people have reasonable moral qualms about taking the lives of deer - or of any animal, for that matter.

Culls have reduced the deer population in each community where they have been used - all across the state and all across the nation. Culls, however, are a tool. They are not a cure. Deer will continue to reproduce and, if there is no other way to control that reproduction, their numbers are kept in check only by food availability.

Repealing the resolution without an alternative would be the same as saying 'there is no problem because I don't like the solution.' I don't like the solution. There is a problem.

Well, why not put it to a vote?

It turns out that only a few things can be put to a binding citizens' referendum. One type of issue is anything to do with the City Charter. Another issue would be to ask the residents to pay additionally (through a millage) for a service. A third would be a citizen-initiated ordinance.

Any other 'vote of the people' would only be advisory. A city council could choose whether or not to agree with the outcome of the vote.

Who knew, right? All the times people say 'we should vote on that' and most of the votes wouldn't have any impact unless there was a willing city council. In which case, no one would be saying 'let's put it to a vote.'

The deer management program and how it is being implemented

In August, 2015, the Council approved - with changes - the [deer management program](#) recommended by the City's staff. That program states, in part, that the recommendations for a successful deer management program are:

Key Recommendation: *The City should set an overall goal of reducing deer-human negative interactions. The first area of focus should be Wards 1 & 2. The recommended process is implementation of a series of annual culls, beginning in winter of 2016, on city property in Wards 1 & 2. A sharpshooting contractor should be used for the culls. In order to permit a culling operation City Code Chapter 115 - Weapons and Explosives will need revision. The planning process revealed public support in Wards 1 and 2 for a lethal method.*

Based on preliminary discussions with a sharpshooting contractor, the annual costs for a deer cull will range between \$25,000 and \$35,000. Potential culling sites are surveyed months before the cull occurs and estimate the number of deer that would be harvested. All culls are conducted in January and February. During this time, there are no fawns in the deer herd, thus no baby deer will be orphaned by the cull. Per MDNR regulation, all deer meat will be donated to the needy.

Additional Recommendations:

- *Implement City wide deer feeding ban as soon as possible. A new ordinance will be required. Food is plentiful for deer in Ann Arbor, and according to MDNR a feeding ban won't reduce the population. However, a feeding ban could reduce the probability that deer will gather and remain in neighborhoods where homeowners routinely provide food.*
- *Annual flyovers should be conducted to provide an indication of the number of deer in and close to the city.*
- *An annual survey should be conducted via A2 Open City Hall. As the City now has a baseline, future surveys will be instrumental in determining whether or not negative interactions between humans and deer are decreasing.*
- *The City should provide deer management material and resources (via the website or at City Hall).*
- *A process should be developed to measure environmental impact of the deer herd on the City's natural areas.*

The program goes on to let the community know which interventions the staff were not recommending:

Deer Management Options Not Currently Recommended: *The planning process studied and researched several non-lethal deer management methods, including sterilization, birth control, and a non-lethal program based on one adopted by the City of Rochester Hills. The research included review of current literature, a presentation by a Rochester Hills staff biologist at the February 5, 2015 public meeting, and meetings with stakeholders who advocated a non-lethal approach (Humane Society of Huron Valley and Citizens for Safe Deer Conflict Management). Reasons for not recommending these non-lethal methods are as follows:*

1. *Regarding sterilization, according to a study conducted by Cornell University, in a closed population, “permanent fertility control (sterilization) could begin to reduce a population after 2–3 years, and a population reduction of approximately 60% could be achieved within 10 years . . . in a population with considerable immigration, however, sterilization would not likely reduce the population size regardless of management effort.” (Source: The Journal of Wildlife Management, 2006). In addition, another Cornell University study published in 2014 reviewed the results of a 5-year sterilization effort in Ithaca, New York, and concluded that sterilization had not reduced the deer population. Deer sterilization can cost more than \$1,000 per deer and is not currently approved by the MDNR. Therefore, it is not a recommended option for Ann Arbor at this time.*
2. *Regarding birth control, some US communities are experimenting with deer immunocontraceptives. For instance, a five year study began in 2014 in Hastings-on-Hudson in New York. Currently, there are no deer immunocontraceptives approved in Michigan; however, during the December 10 Public Meeting, Kristin Bissell, an MDNR staff biologist, indicated that the MDNR was open to discussing the option with interested parties. In January, the project team invited the Humane Society of Huron Valley to develop a plan for reducing deer population through an immunocontraceptive process and to present it at the Feb 5, 2015 public meeting. Due to local HSHV staffing constraints and lack of expertise, the invitation was declined. Local HSHV suggested contacting the National Humane Society to explore this idea. From January 2015 forward, the project team conducted two deer flyovers, analyzed the Survey results, conducted two more public meetings, and staff concluded that the deer issues in Wards 1 and 2 were too large and significant for a costly, experimental and unapproved deer management program like birth control to be explored*
3. *Regarding a non-lethal program, the project team studied the City of Rochester Hill’s 2012 Deer Management Program. It was instituted to reduce deer-vehicle collisions. The program consists of a feeding ban, traffic signage, right of way clearing, and a significant education and outreach program regarding driving habits and plants that are less attractive to deer. Although deer-vehicle collisions have been reduced from the peak, in the last year they have risen from 140 to 171. In addition, the deer flyover counts from the last two years are the highest in the last ten years. According to Mr. Lance DeVoe, a staff biologist from Rochester Hills, deer vehicle collisions have most likely declined due to significant construction on major roads. As the Rochester Hills program has not reduced the deer population, and will not reduce the Ann Arbor deer population because a feeding ban will have no impact (according to MDNR), a like program for Ann Arbor should not be considered to address our resident concerns.*

(Rochester Hills initially used culling as a means of deer management, but [discontinued the cull.](#))

These recommendations were not made in isolation. Staff members were very aware that a deer cull or other measures to control deer population growth would be controversial.

A lethal response to the expanding deer population challenges a core value in many Ann Arbor’s residents, who believe that humans are responsible for the population increase due to habitat destruction. Thus, they believe that Ann Arbor has an obligation to learn how to live with an expanding deer population with a non-lethal approach based on co-existence. This approach was adopted by Rochester Hills in 2012. The Rochester Hills Deer Management Plan, which is based on traffic management and a deer feeding ban, will not reduce the deer population (for Rochester Hills deer flyover counts in 2013 and 2014 were the highest in the last ten years). And even with

extensive investments in signage and roadside clearing, Rochester Hills topped the state in 2014 with over 170 deer vehicle-collisions – an increase of 30 over 2013. However, the non-lethal approach does align with the core value of many of its citizens.

At the time of the vote, there was no detailed plan to actually conduct a cull. Council members were told that such a plan could not be developed unless and until a cull was authorized. Staff members heard the community and the public emphasize concerns about resident safety, and have now [designed a plan that places an emphasis on safety.](#)

The staff plan did not require Council approval. Any change in the direction to staff would require a majority of Council members to approve that change.